

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 577 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements?
  2. To be referred to the Reporter or not? : NO
  3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?
  4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge? : NO

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RAMANBHAI LALLUBHAI PATEL

Versus

NATVARBHAI DULLABHBHAI  
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Appearance:

MRS KETTY A MEHTA for Petitioner

MS HETAL PANDYA for MR GM JOSHI for Respondent No. 1, 2  
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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 28/01/2000

ORAL JUDGEMENT

Heard the learned counsel for the parties.

2. Both the courts concurrently held that the petitioner-plaintiff is neither the owner of the land in dispute nor he is in occupation of the same. When the

title is not there and possession is also not found to be with the plaintiff- petitioner, the courts below have not committed any error much less a material irregularity in exercise of jurisdiction in declining to grant the interim relief.

3. So far as the plea and prayer for specific performance is concerned, prima-facie the courts are correct that the suit is barred by limitation. I do not find any ground to interfere with the orders of the courts below.

4. The civil revision application is dismissed. Rule discharged. Interim relief, if any, granted by this court stands vacated. No order as to costs.

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zgs/-